

February 8, 2017



UNLOCKING SMART CITY ASSETS FOR BROADBAND EXPANSION

## VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Ex Parte Discussion, *Streamlining Deployment of Small Cell Infrastructure*,**  
WT Docket No. 16-421.

On February 1, 2017, Brian Mefford, CEO of CNX Inc., met with Rachael Bender, Legal Advisor to Chairman Pai, to discuss the above-referenced proceeding.

During the meeting, Mr. Mefford highlighted the importance of a balanced approach to providing appropriate local control of Public Rights of Ways and public assets, while also ensuring that communities are cultivating an environment that is ripe for private sector investment in advancing our nation's broadband infrastructure. In short, we discussed the need for policies that facilitate a public-private partnership approach to advancing our nation's communication infrastructure.

Specifically, CNX noted the importance of sound policies at the federal, state, and local levels to facilitate the rapid and efficient deployment of wireless infrastructure to support fiber and 5G networks. We encouraged the Commission to further consider public and private input on proposals in its recently-released Small Cell Public Notice that would streamline local review of wireless infrastructure applications, clarify actions that prohibit or have the effect of prohibiting wireless service, and ensure that the meanings and methodologies around compensation for use of public rights of way are more clearly established.

Further, we were able to provide a profile of the cities across the nation that are taking a public-private partnership approach to navigating challenging issues around small cell and fiber siting. We discussed the impact we've seen when an independent third party is able to facilitate such a partnership approach. Specifically, CNX noted the importance of supporting activities such as:

- Providing models for siting processes, standardized applications, franchise agreements and ordinances;
- Master planning that demonstrates a city's connectivity ambitions and PROW strategy (combined with perspective from the private sector);

- Expert support (legal/regulatory/financial) for modernizing ordinances and codes;
- Re-engineering relevant city processes to create a streamlined application process;
- Creating city-specific design standards to help expedite application review;
- Valuing city assets and establishing related fees and terms of use in such a way that is fair and reasonable and encourages the use of city assets;
- Aggregating all available public properties and assets to provide desired information conveniently to third parties;
- Supporting processes to ensure sites are constructed as permitted to avoid long-term issues such as interference and viewscape clutter as sites and structures proliferate.

Finally, CNX pointed out the need for a pragmatic solution to the challenges associated with streamlining small cell siting and related processes. We noted our experiences on the field where some cities and states are getting it right and many others are not. We illustrated with examples that with proper guidance and the right tools and models, cities and carriers can work together as partners in achieving our nation's 5G future.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter is being electronically submitted into the record of this proceeding. Please do not hesitate to contact me with any questions.

Respectfully,  
/s/ Brian R. Mefford

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Brian R. Mefford  
CEO  
Connected Nation Exchange (CNX)